

## Michael Faillace & Associates, P.C.

Employment and Litigation Attorneys

60 East 42<sup>nd</sup> Street, Suite 2540  
New York, New York 10165

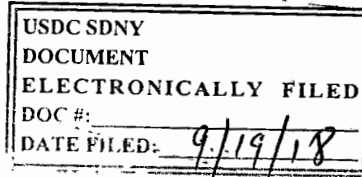
Telephone: (212) 317-1200  
Facsimile: (212) 317-1620

[phershan@faillacelaw.com](mailto:phershan@faillacelaw.com)

September 12, 2018

BY ECF

Hon. Paul G. Gardephe  
United States District Judge  
United States Courthouse  
40 Foley Square  
New York, NY 10007



Re: Fragoso Banos et al v. 34<sup>th</sup> Street Diner, Inc. et al.; 18-cv-02815 (PGG)

Your Honor:

I am an attorney with the office of Michael Faillace & Associates, attorneys for Plaintiff in the above-referenced matter. Pursuant to the Court's Order dated July 19, 2018, Plaintiff and Defendants jointly submit this letter to update the Court regarding the status of settlement negotiations. The Parties continue to negotiate in good faith but have not yet come to terms on an agreement. Therefore, we respectfully request an additional 30 days to negotiate and provide another update to the Court at that time.

Respectfully Submitted,

/s/Paul B. Hershan  
Paul B. Hershan  
Michael Faillace & Associates, P.C.  
*Attorneys for Plaintiff*

Cc: Lloyd Somer, *Attorney for Defendants* (Via ECF)

MEMO ENDORSED

The Application is granted.

SO ORDERED:

Paul G. Gardephe  
Paul G. Gardephe, U.S.D.J.

Dated: Sept. 18, 2018